House File 93 - Introduced

HOUSE FILE 93

BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HSB 8)

A BILL FOR

- 1 An Act prohibiting specified provisions in agreements between
- 2 employers and certain mental health professionals and
- 3 including effective date provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. NEW SECTION. 147.164 Mental health professionals
- 2 limitations on competition prohibited.
- 3 1. As used in this section:
- 4 a. "Employer" means a person, as defined in chapter 4, who
- 5 in this state employs for wages an employee.
- 6 b. "Mental health professional" means the same as defined in
- 7 section 228.1, and includes all of the following:
- 8 (1) Individuals who are completing their supervisory
- 9 requirement under a temporary license.
- 10 (2) Licensed master social workers with a current and active
- 11 supervision plan on file with the board of social work.
- 12 2. An employer shall not enter into an agreement with a
- 13 licensed mental health professional that limits the location
- 14 at which the licensee may practice, prohibits the licensee
- 15 from contacting for professional services a person previously
- 16 treated by the licensee, or imposes a time restriction on the
- 17 practice of the licensee.
- 18 3. A provision of an agreement entered into between an
- 19 employer and a licensed mental health professional prior to,
- 20 on, or after the effective date of this Act that is contrary to
- 21 this section shall be void and unenforceable.
- 22 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
- 23 importance, takes effect upon enactment.
- 24 EXPLANATION
- 25 The inclusion of this explanation does not constitute agreement with
- the explanation's substance by the members of the general assembly.
- 27 This bill prohibits an employer from entering into an
- 28 agreement with a licensed mental health professional, as
- 29 defined in the bill, that limits the location at which the
- 30 licensee may practice, prohibits the licensee from contacting
- 31 for professional services a person previously treated by the
- 32 licensee, or imposes a time restriction on the practice of the
- 33 licensee.
- 34 A provision of an agreement entered into between an employer
- 35 and a licensed mental health professional prior to, on, or

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- 1 after the effective date of the bill that is contrary to the
- 2 bill shall be void and unenforceable.
- 3 The bill takes effect upon enactment.